



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 18, 2022

VIA CM/ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: ***United States v. Davon Mial, 21 Cr. 499 (PAE)***

Dear Judge Engelmayer:

The Government writes to respectfully request a brief adjournment of the deadline to produce to defendant Davon Mial Section 3500 material and give notice pursuant to Rule 404(b). The current deadline for production of those materials is Friday, August 19, 2022, and the Government seeks a brief adjournment until Monday, August 22, 2022. The defendant has no objection to this request.

On August 5, 2021, the grand jury returned Indictment 21 Cr. 499, charging Johnny Perez, a/k/a "Ghost," Aaron Starks, a/k/a "Duke," Sekou Simpson, a/k/a "Tre," Fred Johnson, a/k/a "Trinny," Davon Mial, a/k/a "Smooth," Frayvon Young, a/k/a "Harlem," Robert Mason, and Donnell Bruns, a/k/a "Mac," each with one count of conspiracy to distribute and possess with intent to distribute crack cocaine, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A). All defendants have pleaded guilty except Mial.

On February 18, 2022, the Court set trial for September 12, 2022, and set various pretrial deadlines, including providing Section 3500 materials and Rule 404(b) notice by August 15, 2022. *See* Dkt. No. 118. On August 10, 2022, the Government sought, with the defendant's consent, an adjournment of that deadline until August 19, 2022, which the Court subsequently granted. *See* Dkt. No. 173.

The Government and counsel for Mial are currently engaged in discussions about a pretrial resolution to the charges, which includes a plea offer that was recently extended by the Government and that the defendant is currently considering. The Government seeks, with the consent of the defendant, an adjournment from August 19, 2022, to August 22, 2022, to produce Section 3500 material and provide notice pursuant to Rule 404(b). Such an adjournment will permit the parties additional time to continue their discussions about a pretrial resolution and will permit the Government additional time to gather and prepare materials for production while

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concurrently engaging in discussion about a pretrial resolution. The defendant has no objection to this proposed adjournment.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney


By: /s/
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Cc: All counsel (by CM/ECF)

GRANTED. The Clerk of Court is requested to terminate the motion at Dkt. No. 182.

8/19/2022

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge